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FY 2001 Legislative Branch Appropriations Act (Conference Report) H.R.4516

Committee on Appropriations
H.Rept. 106-____
Submitted by Mr. Taylor on July 26, 2000

Floor Situation:

The House is expected to consider the conference report to H.R. 4516 on Thursday, July 27, 2000. Conference reports are privileged and may be considered any time three days after they are filed; and are debatable for one hour and may not be amended. On Thursday, July 27, the Rules Committee granted a rule waiving all points of order against the conference report and against its consideration.

Conference Highlights:

The conference report to H.R. 4516 provides approximately \$32.9 billion in mandatory and discretionary budget authority for two appropriations bills—Legislative Branch Appropriations and Treasury, Postal Service, and General Government Appropriations. Also included in the measure is a repeal of the Spanish American War telephone excise tax.

The measure provides \$2.56 billion for Legislative Branch appropriations—and \$30.4 billion for Treasury/Postal appropriations, as well as \$40 million in emergency funding to cover a shortfall in the Federal Housing Administration's multifamily loan subsidy program.

Provisions:

FY 2001 Appropriations Measures

— *FY 2001 Legislative Branch Appropriations Act* —

The conference report to H.R. 4516 appropriates \$2.53 billion in new budget authority for FY 2001, \$613 million more than the House passed version and \$124.1 million less than last year, for the operations of the legislative branch. Total House funding is \$770.6 million, about \$1 million more than the House-passed bill and \$12.5 million more than FY 2000. Overall, the conference report appropriates a net increase of \$90 million from the House-passed bill. Most of this net increase is for the operations of the Capitol Police and General Accounting Office (GAO). Total Senate funding is \$506.8 million, \$17 million more than last year. The House-passed bill omitted this funding, since it is customary for each body of Congress to determine its own operational funding level without objection from the other body. Also, following Congressional tradition, funds are provided to pay one year's salary to the widow of Senator Paul Coverdell.

Of the total appropriation, the bill provides \$1.7 billion for congressional operations (including joint items such as the Capitol Police and the Architect of the Capitol, and agencies such as the Congressional Budget Office and the Congressional Research Service) and \$860 million in funding for other agencies that serve Congress, the executive branch, and the general public (such as the Library of Congress and the General Accounting Office).

Major Changes from the House-Passed Bill:

— Congressional Operations —

Joint Items

Joint Committee on Taxation (JCT). The Conference report appropriates \$6.4 million for the JCT, \$256,000 more than the House-passed bill.

Joint Economic Committee. The Conference Report appropriates the Senate level of \$3.32 million for the JEC, \$243,000 more than the House passed version of the bill.

Capitol Police Board. The conference report appropriates \$103.9 million for the Capitol Police Board, which provides for the expenses and personnel of the Capitol Police, \$4.9 million more than the House-passed bill and \$10 million below the Senate funded level. This is a \$19.3 million increase over FY 2000 for the general expenses of the police board. This level of funding provides for the Senate proposed level of 1,481 officers. The conference report funding also includes a program begun in FY 2000 directing that the force utilize American made motorcycles.

Capitol Guide Service. The report funds the Capitol Guide Service at the Senate proposed level of \$2.4 million, \$170,000 above the House funded level.

Office of Compliance. The conference report provides \$1.8 million for the Office of Compliance, \$4,000 above the House funded level and \$246,000 below the Senate funded level.

Congressional Budget Office (CBO). The conference report \$28.5 million for the salaries and expenses of the CBO, \$1.4 million above the House funded level and \$1.1 million above the Senate funded level.

Government Printing Office (GPO), Congressional Printing and Binding. The conference report appropriates \$71.5 million for the printing of congressional documents. This is \$1.8 million more than the House passed version.

Architect of the Capitol

The conference report provide \$185.2 million for the Architect of the Capitol.

Of this amount, the conference report provides (1) \$43.7 million for the operation and maintenance of the Capitol building, \$650,000 less than the House-passed bill; (2) \$5.4 million for the care and improvement of the grounds surrounding the Capitol and the House and Senate office buildings, \$250,000 more than the House bill; (3) \$64 million for the operation of Senate office buildings (this funding was not included in the House-passed bill, but added by the Senate) and; (4) \$39.4 million for the Capitol Power Plant, \$260,000 more than the House-passed bill.

The report also authorizes the Architect to hire a project manager for the construction of the Capitol Visitors Center on the east plaza of the Capitol.

Congressional Research Service (CRS). The conference report appropriates \$73.6 million for the salaries and expenses of CRS, \$220,000 less than the House-passed bill.

— Other Agencies —

Botanic Gardens

The conference report appropriates \$3.3 million for the botanic gardens, \$112,000 more than the House-passed bill.

Library of Congress (excluding CRS)

The conference report appropriates \$282.8 million for the Library of Congress (excluding the Congressional Research Service), \$13 million more than the House-passed version.

Copyright Office. The bill provides \$38.5 million, \$29.3 million of which is available from receipts of the office, for the salaries and expenses of the Copyright Office. The House proposed a level of \$38.8 million, including \$31.7 million from receipts.

Books for the Blind and Physically Handicapped. The conference report provides \$48.6 million for the program to assist the blind and physically handicapped obtain books, \$100,000 above the House passed level.

Furniture and Furnishings. The conference report adopts the Senate level of \$5.4 million for the furnishings of the Library of Congress, \$500,000 above the House passed level.

Architect of the Capitol (Library Buildings and Grounds)

The conference report provides \$16 million for the care and maintenance of the Library of Congress's

buildings and grounds, \$170,000 more than the House-passed bill and \$330,000 less than the Senate passed level.

Government Printing Office, Superintendent of Documents. - The conference report provides \$28 million for the GPO's non-congressional operations. This is \$2.3 million more than the level provided by the House and \$2.1 million less than the level proposed by the Senate.

General Accounting Office - The conference report provides \$384.9 million for the General Accounting Office, \$16 million more than the House-passed bill.

Emergency Supplemental Funding.

Capitol Police Board. The conference report provides an additional \$2.1 million in FY 2000 emergency funding for the Capitol Police security enhancements. Of this amount \$1.9 million is used for work at the Library of Congress to complete a closed circuit television system (\$1.4 million) and access control system (\$484,000)

Architect of the Capitol. The conference provides \$9 million to the AOC for urgent repairs to the underground garage in the Cannon House Office Building.

Federal Housing Administration – General and Special Risk Program. The report provides \$40 million for the FHA's multi-family loan subsidy program

Provisions

The bill contains several provisions, which include: (1) allowing the Library of Congress to shift some money set aside for furniture and repairs to CRS, (2) a request that the AOC study its use of temporary workers and whether they receive employee benefits, and (3) a request that the Library of Congress consider adopting a telecommuting policy.

Legislative History:

The House passed H.R. 4516 by a vote of 373-50 on June 22, 2000. The Senate approved the bill by unanimous consent on July 17, 2000.

Other Information:

For details on H.R. 4516 as it went to the House floor, see *Legislative Digest*, Vol. XXIX, #17 Pt. III, June 21, 2000.

— FY 2001 Treasury Appropriations Act —

Conference Highlights:

The conference report to H.R. 4516 appropriates \$30.4 billion, \$15.6 billion in discretionary spending

and \$14.8 billion in mandatory budget authority for the Treasury Department, the Postal Service, and other general government operations. This amount is \$2.3 billion more than last year, \$1.4 billion less than the president's request, and \$1.27 billion more than the House-passed measure.

The bill appropriates \$96.1 million for the U.S. Postal Service (USPS) fund, \$3 million more than in FY 2000 and equal to the president's request, of which \$67 million for free mail for the blind and overseas voting will not be available before October 1, 2001. The remaining \$29 million is a reimbursement for insufficient funding and rate phasing in previous years.

Major Changes from the House-Passed Bill:

—Department of the Treasury—

The conference report provides \$156.3 million for the Department of Treasury, \$700 million more than the House and Senate passed versions of the bill.

Department-Wide Systems and Capital Investments Program - The conference report provides \$47.3 million for department-wide systems and capital investment programs. This is a \$500,000 increase over the House passed version. This includes \$14.8 million in funding for the communications infrastructure associated with Departmental law enforcement responsibilities for the Salt Lake City Winter Olympics.

Office of the Inspector General - The conference report provides the Senate level of \$32.9 million for Treasury Department Inspector General, \$1 million more than the House passed version.

Treasury Inspector General for Tax Administration - The conferees agreed to provide this department with the Senate level of \$118.4 million, \$3 million more than the \$115.4 provided by the House.

Financial Crimes Enforcement Network - The conference report provides the Senate level of \$37.6 million for the Financial Crimes Enforcement Network, \$2.9 million more than the House-passed version.

Counterterrorism Fund - The conferees agreed to provide the Senate level of \$55 million in emergency funding, equal to the administration request, for counterterrorism contingencies. The House chose not to appropriate any funds for this account. This was not included in the House passed-bill.

Federal Law Enforcement Training Center - The conferees provide \$94.5 million for the FLETC, \$1.3 million more than in the House passed bill. They also provide the FLETC with the Senate level of \$29.2 for acquisition, construction, and improvements for the center. This is \$11.9 million more than the House provided.

Financial Management Service - The report provides \$206.9 million, \$4 million more than the House, to fully fund the president's request for this account, as well as \$4 million to fund a budget shortfall.

Bureau of Alcohol, Tobacco and Firearms (ATF) - The conference report provides \$768.7 million for the ATF, \$37.4 million more than the House passed bill. This funds the president's request, except for two

programs, \$5.5 million for tobacco compliance initiatives and \$44.1 million for the proposed Joint Terrorism Task Force.

Gun Resistance Education Training Grants - The conferees agreed to \$13 million provided in the Senate bill for grants to local law enforcement agencies for this program. The House did not provide any funds.

U.S. Customs Service - Conferees provide \$1.86 billion for the Customs Service, \$41 million more than the House-passed measure. Included in this funding is \$10 million for security enhancements along the northern border and \$13.7 million for the second year of the Southwest border initiative. The measure also provides an additional \$5 million to combat forced child labor.

The bill also provides \$133 million for operation, maintenance and procurement, and air and marine interdiction programs. This is \$7.5 million more than in the House passed bill. The bill also exceeds House provided funding for Automation modernization by providing \$258.4 million, \$25 million more than the House allocated and \$130 million more than the Senate bill.

Internal Revenue Service (IRS) - The measure provides \$8.5 billion for the IRS. This amount is \$185 million more than the House-passed version. This additional funding is included for IRS reform mandated by Congress in the 1998 IRS Restructuring and Reform Act (*P.L. 105-206*), which requires a number of changes and reforms to IRS operating procedures, tax code provisions, and is intended to provide a more taxpayer-friendly agency, as well as curb tax code provisions which prove to be burdensome for taxpayers generally. Funding also includes \$3.3 billion for tax law enforcement. Finally, the conference report makes funds available for improved IRS facilities and increased manpower to provide effective 1-800 help-line telephone service.

General Provisions - The conference report continues to authorize the transfer of funds under certain circumstances of up to two percent between departmental offices, the Office of Inspector General, the Treasury Inspector General for Tax Administration, the Financial Management Service, and the Bureau of Public Debt.

—Executive Office of the President—

Compensation of the President and the White House Office - The conferees provide the Senate level \$53.3, \$1.1 million above the House Level.

Executive Residence - The conferees provide the Senate level of \$10.9 million, \$624,000 more than the House level. Also \$968,000 is provided for White House repair and restoration, \$510,000 more than the House provided level, and \$4.9 million less than the Senate level.

Office of Management and Budget (OMB) - The conference report requires the OMB Director to submit to Congress an inventory of federal grant programs. The OMB Director must submit the report within six months of enactment.

Office of Administration - The conferees provide the \$43.7 million proposed by the Senate, \$2.6 million

more than the amount appropriated by the House.

Office of Management and Budget - The conference report provides \$68.9 dollars, \$1.6 million more than the amount provided by the House, which fully funds the president's request.

Federal Drug Control Programs - High Intensity Drug Trafficking Areas Program

The conference report provides \$206.5 million, \$10.5 million less than the House provided, and fully funds the president's request. The conferees provide that existing HIDTA areas will be funded at the FY 2000 levels, unless the ONDCP submits to the Appropriations Committees, and the approve, justification for changes in the funding levels.

Special Forfeiture Fund - The conference report provides \$233.6 million for this fund, \$13.4 million more than the House provided level. Of this amount \$185 million is for the National Youth Anti-Drug Media Campaign, \$40 million is for the Drug Free Communities Act, and the rest is divided among various accounts.

—Independent Agencies—

General Services Administration (GSA)

Construction and Acquisition - The conference report provides \$472.2 million for nine GSA construction projects. The House appropriated no funding for building projects. The conferees also provide \$276.4 million in advance funding for courthouse construction projects.

Repairs and Alterations - The conference report provides the Senate level of \$671.2 million as opposed to the House level of \$490 million.

Building Operations - The conference report provides the Senate level of \$1.62 billion instead of the House level of \$1.6 billion.

Policy and Operations - The conferees provided the Policy and Operations account with \$123 million, \$8.5 million more than the House passed level.

Expenses and Presidential Transition - The report provides \$7.1 million for the presidential transition. The House provided no funds.

National Archives and Records Administration - The conference report includes \$209.4 million for the National Archives and Records Administration, and \$14 million more than the House-passed version. The report also provides \$95.2 million for repairs and restoration, \$89.5 million more than the House-passed version.

—General Provisions—

The conference report contains numerous general provisions, including measures that:

- * The bill also includes language requiring the OMB to develop guidelines and procedures to

ensure that the information disseminated electronically by federal agencies is correct. The guidances must be issued no later than FY 2001, and a copy forwarded to the committee;

- * Kyoto Protocol. The bill includes a provision prohibiting the use of funds for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol;
- * A provision to continue to prohibit the expenditure of funds under the FEHBP for abortions;
- * A provision allowing abortions funded by the FEHBP if the life of the mother is in danger, or in cases of rape or incest;
- * A provision requiring background checks for employees at federally provided day care facilities of the executive branch, as proposed by the House;
- * A provision to continue last year's provision requiring FEHBP providers who offer prescription coverage to cover prescription contraceptives and maintaining limited conscience protection for individuals who are asked to prescribe contraceptive drugs or devices but decline to do so because of religious beliefs or moral convictions;
- * A provision requiring the Treasury Secretary to establish an interactive website on the Internet to allow taxpayers to view an itemized receipt detailing the allocation of their taxes among major federal spending categories;
- * A new provision prohibiting the use of funds in this bill by any federal agency to use federal Internet sites to collect or review personally identifiable information, or to create aggregate lists that include personally identifiable information, about individuals who access federal Internet sites;
- * A new provision that requires the Inspector General of all agencies funded under H.R. 4871 to submit a report to Congress on personally identifiable information collected from their agencies' Internet site about its users. The report must also include information about agencies entering into agreements with third parties, including other government agencies, to collect, review, or obtain aggregate lists or singular data containing personally identifiable information relating to an individual's access or viewing habits to nongovernmental Internet sites;
- * A new provision that makes the pay rates for Administrative Appeals Judges comparable to Administrative Law judges;

Legislative History:

The House passed H.R. 4985 by a vote of 216-202 on July 20, 2000. approved the bill by voice vote on July 19.

Other Information:

For details on H.R. 2490 as it was debated on the House floor, see *Legislative Digest*, Vol. XXIX, Week

—Elimination of the Spanish American War Excise Tax—

Summary:

The conference report to H.R. 4516 eliminates the three percent federal excise tax on telecommunications services phasing in a complete repeal of the tax over the next three years. A one percent reduction will occur each year for the next three years, allowing the tax to be fully repealed by October 1, 2002. The first reduction would take effect 30 days after this bill was enacted into law, the second on October 1, 2001, and the final repeal on October 1, 2002.

Background:

Enacted in 1898 to raise emergency funds during the Spanish American War, a federal telephone excise tax is still in place in the 21st century. At its inception, this tax was intended to be a luxury tax on long-distance service. In 1898, when telephone and long-distance services were outrageously expensive and usage was limited, an excise telephone tax was easily justified as a luxury tax, for expensive, non-essential goods or services. Despite numerous attempts over the past century to repeal this egregious tax, it is still with us today and was set permanently at 3 percent in 1990.

Cost/Legislative History:

CBO estimates that enactment of the telephone excise tax repeal will cost \$19.8 billion over five years.

The House passed H.R. 3916, now incorporated in this conference report, on May 25, 2000 by a vote of 420-2



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